

**PART 177—ADMINISTRATIVE
CLAIMS UNDER FEDERAL TORT
CLAIMS ACT**

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AUTHORITY: 28 U.S.C. 2672; 28 CFR 14.11.

SOURCE: 33 FR 12405, Sept. 4, 1968, unless otherwise noted.

§ 177.101 Scope of regulations.

This part applies only to claims asserted under the Federal Tort Claims Act, as amended, accruing on or after January 18, 1967, for money damages against the United States for injury to or loss of property or personal injury or death caused by the negligent or wrongful act or omission of an officer or employee of OPM (referred to in this part as an "employee") while acting within the scope of his office or employment.

§ 177.102 Administrative claim; when presented; appropriate OPM office.

(a) For the purpose of this part, a claim is deemed to have been presented when OPM receives, at a place designated in paragraph (b) or (c) of this section, an executed "Claim for Damage or Injury", Standard Form 95, or other written notification of an incident, accompanied by a claim for money damages in a sum certain for injury to or loss of property, for personal injury, or for death alleged to have occurred by reason of the incident. A claim which should have been presented to OPM, but which was mistakenly addressed to or filed with another Federal agency, is deemed to be presented to OPM as of the date that the claim is received by OPM. If a claim is mistakenly addressed to or filed with OPM, OPM shall forthwith transfer it to the appropriate Federal agency, if

ascertainable, or return it to the claimant.

(b) Except as provided in paragraph (c)(1) of this section, a claimant shall mail or deliver his claim to the Office of the General Counsel, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415.

(c) (1) When a claim is for \$500 or less and does not involve a personal injury, the claimant shall mail or deliver it to the Director of the OPM's regional office which employs the individual whose negligence or wrongful act or omission is alleged to have caused the loss or injury complained of. In these cases, the address of the appropriate Regional Director is one of the following:

New England Region, John W. McCormack, Post Office and Courthouse Building, Boston MA 02109 (formerly Boston Region).
 Eastern Region, New Federal Building, 26 Federal Plaza, New York, NY 10007 (formerly New York Region).
 Mid-Atlantic Region, William J. Green, Jr., Federal Building, 600 Arch Street, Philadelphia, PA 19106 (formerly Philadelphia Region).
 Southeast Region, Richard B. Russell, Federal Building, 75 Spring Street, SW, Atlanta, GA 30303 (formerly Atlanta Region).
 Great Lakes Region, John C. Kluczynski, Federal Building, 29th Floor, 230 South Dearborn Street, Chicago, IL 60604 (formerly Chicago Region).
 Southwest Region, 100 Commerce Street, Dallas, TX 75242 (formerly Dallas Region).
 Mid-Continent Region, 1256 Federal Building, 1520 Market Street, St. Louis, MO 63103 (formerly St. Louis Region).
 Rocky Mountain Region, Building 20, Denver Federal Center, Denver, CO 80225 (formerly Denver Region).
 Western Region, 525 Market Street, 23rd Floor, San Francisco, CA 94105 (formerly San Francisco Region).
 Northwest Region, Federal Building, 26th Floor, 915 Second Avenue, Seattle, WA 98174 (formerly Seattle Region).

(2) If the OPM employee's office of employment is the Central Office of OPM or is not known and not reasonably ascertainable, the claimant shall mail or deliver his claim to the Office of the General Counsel, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415.

[33 FR 12405, Sept. 4, 1968, as amended at 44 FR 65025, Nov. 9, 1979]